

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA, )  
Plaintiff, ) No. J05-0004 CR (HRH)  
vs. )  
TWILA JO DAVIS, et al, ) **AFFIDAVIT OF COUNSEL:**  
Defendants. ) **MOTION FOR WITHDRAWAL**  
                                  ) **AND SUBSTITUTION OF**  
                                  ) **COUNSEL**

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Scott A. Sterling being first duly sworn declares:

1. I am counsel for defendant Twila Jo Davis in the above-captioned matter and offer this my affidavit in support of her motion for withdrawal and substitution of counsel.
2. On February 9, 2006 the court sentenced Ms. Davis to serve 10 years in prison and five years on supervised release. Ms. Davis wishes to appeal from that sentence. She has advised that one of the issues on review will be whether she received effective assistance of counsel. Given that fact it appears to be in the best interest of Ms. Davis for me to withdraw, and for substitute counsel to be appointed for purposes of representing Ms. Davis on her appeal and/or any collateral review motion or petition. It is not ethically permissible for me to try to review my own performance and try to advise Ms. Davis concerning same.
3. Upon information and belief the best interests of Ms. Davis will be served by her having substitute counsel represent her on her appeal and any action for collateral review that she may elect to file.

By: s/ Scott A. Sterling  
Scott A. Sterling  
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SUBSCRIBED AND SWORN to before me this 13<sup>th</sup> day of February,  
2006 at Wasilla, Alaska.

By: s/Joanne Graham  
NOTARY PUBLIC in and for Alaska  
My Commission Expires: 5-17-2007

Sealed

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was served by  
(U.S. Mail, first class, postage-prepaid)(fax)(delivery), on the 13<sup>th</sup> day of  
February, 2006 upon:

AUSA James Goeke  
Office of U.S. Attorney for Alaska  
222 West 7<sup>th</sup> Avenue  
Anchorage, Alaska 99513  
Counsel for Plaintiff  
United States of America  
Fax: (907) 271-1500

By: \_\_\_\_\_